

PTOL-413A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/743,738 First Named Applicant: Hans NUSSKERN
Examiner: Ernesto Garcia Art Unit: 3679 Status of Application: _____

Tentative Participants:

(1) Examiner Garcia (2) Supervisor Anthony Knight
(3) Catherine M. Voorhees (4) _____

Proposed Date of Interview: 5/11/04 Proposed Time: 10:00 (AM/PM) ~~PM~~

Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>102 Rejection 31, 32,</u> <u>34, 36, 53, 58</u>	<u>Spec</u>	<u>Renz</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Obj.</u>	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Amended claims 31 and 55 as attached. "Functional language, preambles,
and language in 'whereby'...clauses cannot be disregarded." Pac. Tec. Inc.
v. Amerace Corp. 14 USPQ 2d 1871 (Fed. Cir. 1990). (CONT'D)

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Applicant Initiated Interview Request Form
Continuation Sheet**

The Action refers to a general statement in column 2, lines 40-47 or Renz and interprets the passage to contradict the "Detailed Description". Renz releases the stress before putting the parts together so that expansion element can be inserted into workpiece

6. The external force is applied after the parts have been put together so that expansion element can hold the workpiece. The "whereby" clause of claim 31 recites the opposite. The spring or sleeve is pre-tensioned by compression in order to insert the constructive element and the clamping sleeve partially relaxed to apply the holding force (realize the connection).

#544330

*Applicant(s) Hans NUSSKERN, et al.
Application No. 09/743,738
Attorney Docket : 39129-183650*

Attachment**Claim Proposals
U.S. Application No. 09/743,738**

Claim 31. (Currently Amended): A connecting element for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction and comprises one of a clamping sleeve and a helical spring, into which the constructive element to be connected is to be inserted in the axial direction, and a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, and wherein said constructive element to be connected is to be inserted in the axial direction of said tensioning element whereby the respective one of the clamping sleeve and helical spring is elastically deformed and pre-tensioned by compression in order to insert the constructive element, and the clamping sleeve is partially relaxed for realizing the connection.

Claim 55. (Currently Amended): The A connecting element according to claim 53, for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state

Attachment

Claim Proposals
U.S. Application No. 09/743,738

onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction, comprises a clamping sleeve, into which the constructive element to be connected is to be inserted in the axial direction, and comprises a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, and

wherein the clamping sleeve has an oval cross section in the relaxed state, a deformed state as compared to the relaxed state in the pre-tensioned state, and an oval cross section in the partially relaxed state.

VENABLE^{LLP}575 7th Street, NW
Washington, DC 20004-1601Telephone 202-344-4000
Facsimile 202-344-8300

www.venable.com

TO:

Examiner Ernesto Garcia
U.S. Patent and Trademark Office

FAX NUMBER:

703-746-3602

PHONE NUMBER:

SENDER:

Catherine M. Voorhees
EQUITRAC: 2293

SENDER'S FAX NUMBER:

(202) 344-8300

SENDER'S PHONE NUMBER:

(202) 344-4043

SENDER'S ASSISTANT:

Evelyn L. Wright

ASSISTANT'S PHONE NUMBER:

(202) 344-8355

DATE:

May 5, 2004

CLIENT/MATTER NUMBER:

39129-183650

PAGES, EXCLUDING COVER:

4

RE: Application No. 09/743-738—Hans Nusskern et al.
Attorney Docket : 39129-183650

MESSAGE: Attached is an Applicant Initialed Interview Request Form.


Catherine M. Voorhees

DC2/522612

If you require assistance with this transmission, please contact the sender.

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. postal service. Thank you.

Attachment

Claim Proposals
U.S. Application No. 09/743,738

Claim 31. (Currently Amended): A connecting element for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction and comprises one of a clamping sleeve and a helical spring, into which the constructive element to be connected is to be inserted in the axial direction, and a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, ~~and wherein said constructive element to be connected is to be inserted in the axial direction of said tensioning element~~ whereby the respective one of the clamping sleeve and helical spring is elastically deformed and pre-tensioned by compression in order to insert the constructive element, and the clamping sleeve is partially relaxed for realizing the connection.

Claim 55. (Currently Amended): ~~The~~ A connecting element ~~according to claim 53, for mechanically connecting constructive elements, said connecting element comprising an elastically deformable tensioning element adapted to apply a holding force in an elastically expanded state~~

Attachment

Claim Proposals
U.S. Application No. 09/743,738

onto a constructive element that is to be connected, thus generating a frictional connection of said constructive element with at least one of said tensioning element and another constructive element,

wherein

said tensioning element has a length in the axial direction, comprises a clamping sleeve, into which the constructive element to be connected is to be inserted in the axial direction, and comprises a spring material consisting of a superelastic shape memory alloy elastically expandable in the tensioning element, said tensioning element being in a stress-induced martensitic state to produce the holding force, and

wherein the clamping sleeve has an oval cross section in the relaxed state, a deformed state as compared to the relaxed state in the pre-tensioned state, and an oval cross section in the partially relaxed state.